

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Luckin Coffee Inc. Securities Litigation

Case No. 1:20-cv-01293-JPC-JLC

**NOTICE OF CLOSING OF CHAPTER 15 CASE AND TERMINATION OF
AUTOMATIC STAY**

PLEASE TAKE NOTICE that on February 5, 2021, Alexander Lawson of Alvarez & Marsal Cayman Islands Limited and Wing Sze Tiffany Wong of Alvarez & Marsal Limited, in their capacities as joint provisional liquidators (the “**Joint Provisional Liquidators**”) of Luckin Coffee Inc., as foreign debtor (“**Luckin Coffee**”), commenced the case captioned *In re Luckin Coffee Inc. (in Provisional Liquidation)*, No. 21-10228 (MG) (the “**Chapter 15 Case**”) under chapter 15 of title 11 of the United States Code (11 U.S.C. §§ 101 *et seq.*) (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Southern District of New York (the “**Bankruptcy Court**”).

PLEASE TAKE FURTHER NOTICE that on March 30, 2021, the Bankruptcy Court entered the *Order Recognizing Cayman Proceeding as a Foreign Main Proceeding and Granting Relief in Aid Thereof* (the “**Recognition Order**”) in the Chapter 15 Case recognizing the provisional liquidation proceeding with respect to Luckin Coffee as debtor that was pending under Part V of the Cayman Islands Companies Act (2021 Revision) before the Grand Court of the Cayman Islands, Financial Services Division Cause No. 157 of 2020 (ASCJ) (the “**Cayman Proceeding**”), as a foreign main proceeding within the meaning of section 1502(4) of the Bankruptcy Code and granting related relief. The Recognition Order provided, among other

things, that the automatic stay authorized by sections 362 and 1520 of the Bankruptcy Code (the “**Automatic Stay**”) shall apply throughout the duration of the Chapter 15 Case or until otherwise ordered by the Bankruptcy Court. On March 31, 2021, Luckin Coffee filed a *Notice of Imposition of Automatic Stay* [ECF No. 252].

PLEASE TAKE FURTHER NOTICE that on March 4, 2022, the Joint Provisional Liquidators, in coordination with and with the support of Luckin Coffee, filed the *Final Report of the Foreign Representatives and Presentment of Order Closing Chapter 15 Case* (the “**Final Report**”) in the Chapter 15 Case. The Final Report confirmed that, among other things, the purpose of the Joint Provisional Liquidators’ appearance in the Bankruptcy Court was complete, and requested entry of an order closing the Chapter 15 Case. On April 8, 2022, the Bankruptcy Court entered an order closing the Chapter 15 Case.¹ Accordingly, pursuant to sections 362(c)(2) and 1520 of the Bankruptcy Code, the Automatic Stay terminated on April 8, 2022.

¹ As further detailed in the Final Report, the winding up petition (as amended) in respect of Luckin Coffee has been dismissed and the Cayman Proceeding was also brought to a successful close pursuant to an order of the Grand Court of the Cayman Islands dated February 25, 2022. Pursuant to this order, the Joint Provisional Liquidators were also discharged from office and released from the performance of their duties effective as of March 4, 2022.

Dated: May 3, 2022

Respectfully submitted,

/s/ Lawrence Portnoy

DAVIS POLK & WARDWELL LLP

Lawrence Portnoy

450 Lexington Avenue

New York, New York 10017

Telephone: (212) 450-4000

Facsimile: (212) 701-5800

lawrence.portnoy@davispolk.com

Jonathan K. Chang

18/F, The Hong Kong Club Building

3A Chater Road

Central, Hong Kong SAR

Telephone: +852 2533 1028

Facsimile: +852 2533 4328

jonathan.chang@davispolk.com

Attorneys for Luckin Coffee Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed with the Court's CM/ECF system on May 3, 2022, which constitutes service on all counsel registered with the Court's CM/ECF system.

/s/ Lawrence Portnoy

Lawrence Portnoy